

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MINDEN PICTURES, INC.,

Plaintiff,

v.

SUP CHINA, INC.,

Defendant.

23-CV-10312 (DEH)

ORDER

DALE E. HO, United States District Judge:

On February 20, 2024, Plaintiff filed a motion for a default judgment under Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). *See* ECF No. 15.

It is hereby ORDERED that Defendant shall file any opposition to the motion for default judgment by **March 19, 2024**. Defendant is cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity “repeatedly fails to appear by counsel, a default judgment may be entered against it,” *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted).

It is further ORDERED that Defendant appear and show cause before this Court on **April 2, 2024, at 11:00 a.m. EST**, why an order should not be issued granting a default judgment against Defendant. Unless and until the Court orders otherwise, the conference will be held remotely by telephone in accordance with Paragraph 3.B of the Court’s Individual Rules and Practices in Civil Cases. The parties should join the conference by calling the Court’s dedicated conference line at (646) 453-4442 and using access code 669 942 829, followed by the pound (#) key.

The February 20, 2024 filing of Plaintiff’s Proposed Clerk’s Certificate of Default was deemed deficient by the Clerk’s Office. *See* ECF No. 17. No later than **March 22, 2024**, Plaintiff must *refile* Proposed Clerk’s Certificate of Default and file the proposed default judgment order electronically, using the ECF Filing Event “Proposed Default Judgment,” for the Clerk’s approval.

In the event that Defendant appears or opposes the motion for default judgment prior to that date, the parties shall prepare to treat that conference as the initial pretrial conference. That is, if Defendant appears, opposes the motion, or seeks a *nunc pro tunc* extension of time to respond to the complaint, then the parties — including the appearing Defendant — shall follow the pre-conference procedures specified in the Court’s Order of January 24, 2024, including by submitting a joint letter and a proposed case management plan no later than the Tuesday prior to the conference. *See* ECF No. 13.

It is further ORDERED that Plaintiff serve Defendant via overnight courier with (1) a copy of this Order by March 5, 2024; and (2) a copy of the motion for default judgment and supporting papers not already served on Defendant. In each case, Plaintiff must file proof of such service on the docket by **March 5, 2025**.

SO ORDERED.

Dated: February 29, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Dale Ho', is written above a horizontal line.

DALE E. HO
United States District Judge